

**MODIFICATION #1**  
**INTERLOCAL AGREEMENT #2020-CPU-CV01**

between

**CLARK COUNTY**

P.O. Box 5000, Vancouver, WA 98666-5000

and

**CLARK PUBLIC UTILITIES**

P.O. Box 8900, Vancouver, WA 98668-8900

<b>Program:</b>	<b>CARES Act - Low Income Home Energy Assistance Program (LIHEAP)</b>
Contract Period:	June 1, 2020 to September 30, 2021
Total Contract Amount:	Not to Exceed \$664,500
Funding Source:	LIHEAP CARES Act (Fund 1936/9012)
DUNS Number:	044111037
CFDA Number:	93.568
Procurement Process:	Interlocal Agreement

CPU Program Contact	CPU Fiscal Contact	Clark County Program Contact	Clark County Fiscal Contact
Chiharu Russell 360.992.3583 <a href="mailto:crussell@clarkpud.com">crussell@clarkpud.com</a>	Melissa Ankeny 360.992.3495 <a href="mailto:mankeny@clarkpud.com">mankeny@clarkpud.com</a>	Samantha Whitley 564.397.7842 <a href="mailto:samantha.whitley@clark.wa.gov">samantha.whitley@clark.wa.gov</a>	Rhonda Hills 564.397.7836 <a href="mailto:rhonda.hills@clark.wa.gov">rhonda.hills@clark.wa.gov</a>

By signing below, Clark County, hereinafter referred to as the "County," and Clark Public Utilities, hereinafter referred to as "CPU," agree to the terms of this contract amendment.

**FOR CLARK COUNTY:**

Kathleen Otto 11/9/2020  
 Kathleen Otto, Interim County Manager

**FOR CLARK PUBLIC UTILITIES:**

Lena Wittler 11/9/2020  
 Lena Wittler, General Manager

**APPROVED AS TO FORM ONLY:**

Amanda Migchelbrink 11/9/2020  
 Amanda Migchelbrink  
 Deputy Prosecuting Attorney

**APPROVED AS TO FORM ONLY:**

John Eldridge 11/9/2020  
 John Eldridge  
 CPU Legal Counsel

**BUDGET SUMMARY**  
**INTERLOCAL CONTRACT #2020-CPU-CV01**  
**CLARK PUBLIC UTILITIES**

Contract Year 03/27/20 through 09/30/21

CATEGORY	ASSISTANCE TYPE	PAYMENT TYPE	REVENUE SOURCE	AMOUNT
Direct Services	Energy Assistance	Cost Reimbursement	LIHEAP Fund 1936/9012)	\$538,073
Other Direct Services				\$58,640
Conservation Education				\$33,317
Administration				\$34,470
TOTAL				\$664,500

## 1. CONTRACT HISTORY

Contract Term	Action Amount	Total Contract Amount
Base Contract 06/01/20 – 09/30/21	\$664,500	\$664,500
Amendment #1 Amend Terms	\$0	\$664,500

## 2. MODIFICATIONS

2.1. Section 1.1.2. in Statement of Work #1 is replaced in its entirety with the following:

*1.1.2. Determine client eligibility and benefits for LIHEAP. To be eligible for a COVID-19 crisis benefit, a household must qualify for LIHEAP AND have received (or will receive) a LIHEAP or LIRAP benefit in the current program year.*

2.2. All other terms and conditions of the original contract, as amended, remain the same.

## 3. ENTIRE CONTRACT

This modification incorporates the original Contract and any subsequent modifications by reference. The parties agree that the original Contract, subsequent modifications, and this modification are the complete expression of the terms hereto and any oral representations or understanding not incorporated herein are excluded. Further, unless allowed elsewhere in the Contract, any modifications of this Contract shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize that time is of the essence in the performance of the provisions of this modified Contract.

## 4. DEBARMENT OR EXCLUSION

By signing this modification, CPU certifies that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in any federally-funded program by any federal department or agency (Excluded Person) and that no owner, director, officer, or partner with an ownership or control interest in CPU is an Excluded Person. In addition, CPU certifies that no employee or subcontractor of CPU who will perform work (whether directly or indirectly) under this Contract is an Excluded Person.

## Certificate Of Completion

Envelope Id: 61A21BA073D64FCF8CF1E097FCF66013	Status: Completed
Subject: Please E-Sign This Modification to Our Interlocal Agreement for LIHEAP Assistance (2020-CPU-01.1)	
Source Envelope:	
Document Pages: 3	Signatures: 4
Certificate Pages: 6	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Lynn Mueller
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	1300 Franklin St
	Vancouver, WA 98660
	lynn.mueller@clark.wa.gov
	IP Address: 64.4.181.102

## Record Tracking

Status: Original	Holder: Lynn Mueller	Location: DocuSign
11/3/2020 11:12:08 AM	lynn.mueller@clark.wa.gov	

## Signer Events

Signature	Timestamp
Amanda Migchelbrink	Sent: 11/9/2020 9:11:55 AM
amanda.migchelbrink@clark.wa.gov	Viewed: 11/9/2020 10:07:54 AM
Deputy Prosecuting Attorney	Signed: 11/9/2020 10:08:01 AM
Security Level: Email, Account Authentication (None)	
Signature Adoption: Pre-selected Style	
Using IP Address: 64.4.181.35	

### Electronic Record and Signature Disclosure:

Accepted: 11/9/2020 10:07:54 AM  
ID: 4feb213d-1962-44f9-ba64-0f9b2028ffb8

tina redline	<b>Completed</b>	Sent: 11/9/2020 10:08:02 AM
tina.redline@clark.wa.gov		Viewed: 11/9/2020 10:19:35 AM
Office Supervisor		Signed: 11/9/2020 10:19:39 AM
Clark County, WA	Using IP Address: 64.4.181.42	
Security Level: Email, Account Authentication (None)		

### Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Kathleen Otto	<i>Kathleen Otto</i>	Sent: 11/9/2020 10:19:41 AM
Kathleen.Otto@clark.wa.gov		Viewed: 11/9/2020 4:41:46 PM
Director Internal Services/Deputy County Mngr		Signed: 11/9/2020 4:41:55 PM
Clark County	Signature Adoption: Pre-selected Style	
Security Level: Email, Account Authentication (None)	Using IP Address: 64.4.181.42	

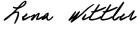
### Electronic Record and Signature Disclosure:

Accepted: 11/9/2020 4:41:46 PM  
ID: ee62db80-ab79-4cd0-92a8-08b8342b473c

John Eldridge	<i>John Eldridge</i>	Sent: 11/9/2020 4:41:56 PM
jeldridge@clarkpud.com		Viewed: 11/9/2020 6:47:58 PM
General Counsel		Signed: 11/9/2020 6:48:23 PM
Clark Public Utilities	Signature Adoption: Pre-selected Style	
Security Level: Email, Account Authentication (None)	Using IP Address: 71.63.179.122	
	Signed using mobile	

### Electronic Record and Signature Disclosure:

Accepted: 6/15/2020 9:53:40 AM  
ID: 4bef8444-c87a-417a-a782-f37a179ef809

Signer Events	Signature	Timestamp
Lena Wittler lwittler@clarkpud.com CEO/General Manager Clark Public Utilities Security Level: Email, Account Authentication (None)	  Signature Adoption: Pre-selected Style Using IP Address: 24.22.58.81 Signed using mobile	Sent: 11/9/2020 6:48:24 PM Viewed: 11/9/2020 7:25:17 PM Signed: 11/9/2020 7:25:54 PM
<b>Electronic Record and Signature Disclosure:</b> Accepted: 11/9/2020 7:25:17 PM ID: 80128f88-e2e4-4fbc-bfc1-65f754a502b5		
In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Chiharu Russell crussell@clarkpud.com Security Level: Email, Account Authentication (None)	<div>COPIED</div>	Sent: 11/9/2020 4:41:57 PM
<b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign		
Gretchen Alexander gretchen@clarkpud.com Community Care Manager Clark Public Utilities Security Level: Email, Account Authentication (None)	<div>COPIED</div>	Sent: 11/9/2020 4:41:56 PM Viewed: 11/10/2020 6:16:52 AM
<b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign		
Melissa Ankeny mankeny@clarkpud.com Security Level: Email, Account Authentication (None)	<div>COPIED</div>	Sent: 11/9/2020 4:41:56 PM
<b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign		
Janet Snook janet.snook@clark.wa.gov testing dcs Security Level: Email, Account Authentication (None)	<div>COPIED</div>	Sent: 11/9/2020 7:25:56 PM Viewed: 11/10/2020 7:08:55 AM
<b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign		
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	11/9/2020 9:11:55 AM
Certified Delivered	Security Checked	11/9/2020 7:25:17 PM
Signing Complete	Security Checked	11/9/2020 7:25:54 PM
Completed	Security Checked	11/9/2020 7:25:56 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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From time to time, Clark County, WA (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign, Inc. (DocuSign) electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the "I agree"™ button at the bottom of this document.

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign "Withdraw Consent"™ form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures

electronically from us.

**How to contact Clark County, WA:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [loann.vuu@clark.wa.gov](mailto:loann.vuu@clark.wa.gov)

**To advise Clark County, WA of your new e-mail address**

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at [loann.vuu@clark.wa.gov](mailto:loann.vuu@clark.wa.gov) and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc. to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in the DocuSign system.

**To request paper copies from Clark County, WA**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to [loann.vuu@clark.wa.gov](mailto:loann.vuu@clark.wa.gov) and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

**To withdraw your consent with Clark County, WA**

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to [loann.vuu@clark.wa.gov](mailto:loann.vuu@clark.wa.gov) and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

**Required hardware and software**

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari®, 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

\*\* These minimum requirements are subject to change. If these requirements change, you will be asked to re-accept the disclosure. Pre-release (e.g. beta) versions of operating systems and browsers are not supported.

**Acknowledging your access and consent to receive materials electronically**



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- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Clark County, WA as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Clark County, WA during the course of my relationship with you.